

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GEORGE LESLIE VONTRESS,

Petitioner,

vs.

D.W. NEVENS, *et al.*,

Respondents.

Case No. 2:14-cv-01342-GMN-CWH

**ORDER**

On May 13, 2015, this court denied petitioner's motion for reconsideration of the order dismissing this petition for writ of habeas corpus (#15). The order also denied petitioner's motion to disqualify judge and motion for clarification. *Id.* In order to proceed with an appeal, petitioner must receive a certificate of appealability. 28 U.S.C. § 2253(c)(1); Fed. R. App. P. 22; 9th Cir. R. 22-1; *Allen v. Ornoski*, 435 F.3d 946, 950-51 (9th Cir. 2006); *see also United States v. Mikels*, 236 F.3d 550, 551-52 (9th Cir. 2001). Generally, a petitioner must make "a substantial showing of the denial of a constitutional right" to warrant a certificate of appealability. *Id.*; 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000). "The petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Id.* (*quoting Slack*, 529 U.S. at 484). In order to meet this threshold inquiry, the petitioner has the burden of demonstrating that the issues are debatable among jurists of reason; that a court could resolve the issues differently; or that the questions are adequate to deserve encouragement to proceed further. *Id.* This

1 court has considered the issues raised by petitioner, with respect to whether they satisfy the standard for  
2 issuance of a certificate of appealability, and determines that none meet that standard. The court will  
3 therefore deny petitioner a certificate of appealability.

4 **IT IS THEREFORE ORDERED** that petitioner is **DENIED A CERTIFICATE OF**  
5 **APPEALABILITY.**

6 Dated this 14th day of September, 2015.

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10 Gloria M. Navarro, Chief Judge  
11 United States District Court  
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